

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JEROME THEUS,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS,
MICHELLE BONES, LORA BLASINS,
WIGANDS, HOWARD, MALONE, KEMP,
CO DIX AND CO MORRIS,

Defendants.

ORDER

Case No. 14-cv-224-bbc

Plaintiff Jerome Theus, a prisoner incarcerated at the Racine Correctional Institute in Racine, Wisconsin, has filed a proposed civil complaint. Plaintiff requests leave to proceed without prepayment of the filing fee. To the extent plaintiff wishes to proceed without prepaying the filing fee, because he is in prison, he must comply with the Prisoner Litigation Reform Act (PLRA), which requires plaintiff to submit a certified copy of his inmate account statement (or institutional equivalent) for the six-month period immediately preceding the date of the complaint. 28 U.S.C. § 1915(a)(2). Plaintiff has failed to submit the necessary inmate account statement.

For this case to proceed, plaintiff must submit the certified account statement no later than April 22, 2014. If plaintiff is found to be indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments. If plaintiff does not submit the six-month inmate account statement, I will assume that he wishes to withdraw this action voluntarily.

ORDER

IT IS ORDERED that plaintiff Jerome Theus may have until April 22, 2014 to submit a trust fund account statement for the period beginning approximately September 21, 2013 and ending approximately March 21, 2014. If, by April 22, 2014, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 26th day of March, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge